

The York County Board of Commissioners met according to law on May 5, 2009 at 9:35 a.m. as per notice in the York News Times on April 30, 2009, with Augustus M. Brown Jr. presiding, with Eugene Bergen, Steve Neujahr, Kurt Bulgrin, and Pat Bredenkamp. Also present was Melanie Wilkinson, correspondent for the York News Times.

The agenda of the meeting was posted on the bulletin board in the County Clerk’s office and a copy of the agenda was made available to each Commissioner.

Brown announced that the Open Meetings Law was posted on the outside of the door and copies were available in the back of the board room.

The Board met with Elected Officials and Department heads prior to the regular meeting. No action was taken.

Moved by Bulgrin, seconded by Bergen to approve the minutes of the April 21, 2009 Board of Commissioners meeting with a change in Resolution #09-34 from “and church to any church”; roll call: yeas, Bulgrin, Bergen, Bredenkamp, Neujahr, and Brown; nays, none; motion carried.

Moved by Neujahr, seconded by Bredenkamp to adopt the agenda for May 5, 2009 as presented; roll call: yeas, Neujahr, Bredenkamp, Bergen, Bulgrin, and Brown; nays, none; motion carried.

General Assistance cases were reviewed:

Moved by Bergen, seconded by Bredenkamp to approve Case #09-17 for rent payable to Greg Clark, Manager for North Y Apts. in the amount of \$380.00; roll call: yeas, Bergen, Bredenkamp, Neujahr, Bulgrin and Brown; nays, none; motion carried.

Moved by Bredenkamp, seconded by Bulgrin; to approve payroll in the amount of \$114,557.46 and vendor claims as presented and to direct the County Treasurer to transfer money from the specifically designated county funds to the Imprest Account Fund; roll call: yeas, Bredenkamp, Bulgrin, Neujahr, Bergen and Brown; nays, none; motion carried.

**Legend**

General - Gen  
Road - Rd

<u>Fund</u>	<u>Name</u>	<u>Description</u>	<u>Total</u>
Gen,			
Rd	Alltel	Telephone Service	265.03
Gen	Autocraft Collision Center	Vehicle Maintenance	342.00
Visitors			
Promo	Avery Outdoor	Advertising	240.00
Aging	Bag N Save	Supplies	35.66
Gen,			
Rd	Black Hills Energy	Heating Fuels	840.04
Gen	Stephanie Boring	Mileage	56.10
Rd	Bosselman	Fuel	25,107.83
Gen	Robert E. Bowen, M.D., P.C.	Autopsy Costs	940.00
Aging	Lori Byers	Reimbursement	144.56
Rd	Car Parts Inc.	Repair Parts	585.98
Gen	Central Nebraska Refrigeration	Building Repair	331.51
Visitors			
Promo	Chances R Restaurant and Lounge	Meals	9.92
Gen	Clerk of the Supreme Court	Court Costs	122.00
Gen,			
Rd	Constellation NewEnergy Gas Div	Heating Fuels	2,540.06
Gen	Mark V. Contatore	Mileage	66.00
Rd	Cornhusker Cleaning Systems	Shop Supplies	40.14
Gen	Wayne Crome	Reimbursement	23.16
Data			
Proc	Dell Marketing L.P.	Data Proc Equip	1,925.30
Gen	Douglas County Sheriff	Court Costs	9.06
Gen,			
Rd,			
Aging	Eakes Office Plus	Office Supplies	624.31
Gen	Allen Ehlers	Court Costs	35.40
Gen	Tina Elliot	Court Costs	20.00
Rd	Farm Plan	Repair Parts	186.51
Rd	Fastenal Industrial & Const Supply	Signs & Posts	34.11
Gen	Fillman Law Offices	Attorney Fees	2,225.64
Rd	Filter Care	Repair Parts	27.20
Visitors			
Promo	First Bankcard	Lodging/Meals	1,263.66
Rd	Gale's Welding, Inc.	Repair Parts	237.97
Visitors			
Promo	Greater York Area Chamber of Comm	Grant/Meal	2,509.00
Rd	Hansen International Truck Inc.	Repair Parts	184.92
Gen	Hasler Financial Services, LLC	Office Equipment	798.00

Gen	Herbert Heiden	Bailiff	70.00
Gen	Hometown Leasing	Equip Rental	344.90
Rd	Husker Steel	Repair Parts	1,230.00
Gen	UNL IS Communications Center	Internet	12.95
Rd	Island Supply Welding	Repair Parts	259.39
Gen	Jackson Services	Building Maintenance	42.50
Rd	JEO Consulting Group, Inc.	Engineering	3,100.00
Rd	Johnson Sand & Gravel Co, Inc.	Gravel	509.24
Gen	JW Jones MD	Court Costs	1,500.00
Rd	Kerford Limestone Company	Rock	925.91
Rd	Kimball Midwest	Repair Parts	504.91
Gen	Eric Knutson	Court Costs	80.50
Gen	Michelle Koch	Court Costs	20.00
Visitors			
Promo	The Lamar Companies	Advertising	460.00
Visitors			
Promo	Magic Media, Inc.	Advertising	430.00
Rd	Martin Marietta Materials	Rock	629.13
Rd	Mead Lumber & Rental - York	Concrete/Supplies	114.44
Gen	Microfilm Imaging Systems, Inc.	Data Proc Equip	338.20
Gen	Mid America First Call, Inc.	Coroner Costs	1,018.05
Gen, Data Proc			
	MIPS Inc.	Microfilm Costs	511.85
Gen	Moore Wallace - An RR Donnelley Co	Printing	78.20
Rd	Moses Motor Co.	Vehicle Maintenance	317.42
Gen	Muneca Moutray	Court Costs	20.00
Rd	MTL Lin Lincoln West O Ne	Lodging	90.00
Gen	Ne Association of County Officials	Registration Fee	150.00
Rd	Ne Assoc of Highway Superintendents	Registration Fee	70.00
Visitors			
Promo	Nebraska Life	Publication	190.00
Gen	Nebraska Public Power District	Electricity	2,314.00
Rd	Nebraskaland Glass	Supplies	40.00
Rd	NMC Exchange LLC	Parts/Grader Blades	1,470.73
Gen	North Office Supply	Office Supplies	226.86
Gen	O'Keefe Elevator Company, Inc.	Maintenance Agreement	344.20
Rd	O'Reilly Auto Parts	Shop Supplies	66.10
Rd	Patrick O'Brien	Reimbursement	28.00
Gen	OfficeNet	Office Supplies	44.58
Rd	Orscheln Farm & Home	Shop Supplies	37.91
Rd	Osceola Implement & Supply Inc.	Repair Parts	843.36
Gen	Overhead Door Co.	Building Repair	151.40
Rd	Overland Sand & Gravel Company	Gravel	2,480.57
Gen	Pamida Stores Operation Co LLC	Supplies	142.59
Rd, Visitors			
Promo	Perennial Public Power District	Electricity	194.86
Gen	Nick Peters	Court Costs	42.00
Gen	Gerald Peterson	Mileage	115.50
Rd	Power Plan	Repair Parts	49.10
Rd	Precision Industries	Shop Supplies	35.70
Visitors			
Promo	R.S. Enterprises	Advertising	310.00
Rd	Rasmussen Auto Parts	Shop Supplies	87.86
Gen	Isaac Rath	Court Costs	86.00
Gen	Regional Pathology Services	Court Costs	1,025.00
Rd	Don Robb	Meals	20.85
Gen, Rd			
	Sahling Kenworth Inc.	Witness Fees/Parts	448.05
Visitors			
Promo	Bob Sautter	Mileage/Meals	251.10
Emer			
Man	Seward County Courthouse	Office Expenses	3,326.71
Gen, Data Proc			
	State of Ne Das Central Finance	Data Proc Equip	506.27
Gen	Robby Stolley	Court Costs	20.00
Gen	Svehla Law Offices	Attorney Fees	2,535.00
Gen	Kelly M Thomas	Attorney Fees	367.50

Sheriff	Time Warner Cable	Subscription	71.96
Rd	True Value/Coast to Coast	Repair Parts	5.49
Gen	Ricky Tuico	Court Costs	20.00
Rd	Village of Bradshaw	Electricity	9.30
Gen	Voss Lighting	Supplies	186.25
Visitors			
Promo	Web Tech Solutions	Web Maintenance	15.00
Rd	Weldon Industries	Repair Parts	97.26
Rd	Yant Equipment	Equipment	705.00
Gen	York County Court	Court Costs	16.16
Visitors			
Promo	York County Development Corp	Office Expenses	4,552.00
JV Div	York County Extension Office	Consulting Fees	373.75
Rd	York Equipment, Inc.	Repair Parts	1,011.66
Rd	York Farm Supply LLC	Repair Parts	24.60
Gen	York News-Times	Publication	113.00
Gen,			
Visitors			
Promo	York Printing Company, LLC	Office Supplies	387.91
Gen	York Sewing Studio	Office Supplies	23.88
Aging,			
Visitors			
Promo	York Wholesale Company	Supplies	33.60
Gen	Jury Fees		1,380.30

The Board discussed the use of time clocks for county employees. Kelly Turner, Deputy County Clerk and Amanda Ring of the County Clerk’s office presented information on two systems which they have researched. Fillmore and Madison Counties were visited to see how their systems work and to determine the pros and cons of each. Turner advised that the system in Fillmore County was not able to compute the 171 hour time span that the Sheriff’s Department works under. She advised that Madison County’s system was most compatible with our payroll system. It also tracks the sick, vacation, family medical leave and comp time automatically.

Moved by Bulgrin, seconded by Neujahr to table the decision on time clocks until May 19, 2009 and in the mean time, information regarding time clocks be given to Election Officials and Department Heads; roll call; yeas, Bulgrin, Neujahr, Bergen, Bredenkamp and Brown; nays, none; motion carried.

Bob Sautter came before the Board to request a replacement for Marty Rousseau on the Visitors Committee. He stated that Mr. Rousseau submitted his resignation. Sautter submitted the name of Elaine Stuhr as a replacement on the Board for Marty Rousseau whose term was to expire June 30, 2011.

Moved by Bredenkamp, seconded by Bulgrin to adopt Resolution #09-36 to appoint Elaine Stuhr to fill the unexpired term of Marty Rousseau; roll call: yeas, Bredenkamp, Bulgrin, Bergen, Neujahr and Brown; nays, none; motion carried.

#### RESOLUTION #09-36

WHEREAS, Martin Rousseau was appointed to serve a four (4) year term on the Visitors Committee beginning July 3, 2007; and

WHEREAS, he has resigned said position; and

WHEREAS, the Board has been advised that Elaine Stuhr has agreed to fill the unexpired term of Martin Rousseau with said term ending June 30, 2011;

NOW, THEREFORE, BE IT RESOLVED THAT Elaine Stuhr is hereby appointed to serve the unexpired term of Martin Rousseau on the Visitors Committee beginning May 5, 2009 and ending on June 30, 2011.

Dated this 5<sup>th</sup> day of May, 2009.

Under the budget adopted August 26, 2008, monies remaining in the Insurance Reserve Fund would be transferred into the General Fund. The purpose of the Insurance Reserve account was to cover county vehicles which were not covered for physical damage. In 2008, the Board reviewed the coverage on county vehicles and determined that we should place them on NIRMA’s insurance for the physical coverage. The amount remaining in the fund to be transferred is \$184,637.25.

Moved by Neujahr, seconded by Bulgrin to adopt Resolution #09-37 transferring the balance of the Insurance Reserve Fund to the General Fund; roll call: yeas, Neujahr, Bulgrin, Bergen, and Brown; nays, Bredenkamp; motion carried.

#### RESOLUTION #09-37

WHEREAS, the York County Board of Commissioners met at their regular meeting on the 5th day of May 2009, and discussed the fact that on August 26, 2008, the proposed budget statement for the Insurance Reserve Fund was adopted in the amount of \$184,637.25. Under said Budget, a transfer of the entire fund was to be made to the General Fund. In 2008 and years prior to that, said Insurance Reserve Fund was used to defray costs associated with physical damage to county vehicles not covered under the NIRMA insurance plan. In 2008, a decision was made to place these vehicles under the NIRMA Insurance plan which therefore made it unnecessary to continue to fund this account.

NOW BE IT RESOLVED, that the funds within the Insurance Reserve Fund be transferred to the General Fund as budgeted.

Dated this 5<sup>h</sup> day of May, 2009.

The Board reviewed the Zoning Administration contract. Orval Stahr has been performing this service on a contract basis since November of 2004 for \$1,700.00 a month. Stahr submitted a letter which stated his desire to continue serving in that position. Brown appointed Kurt Bulgrin and Steve Neujahr to serve on a sub-committee to review the contract and options available to the county for zoning issues. The Board will readdress the matter at the June 16<sup>th</sup> Commissioners meeting.

Dave Taladay, Programs Manager for the Southeast Nebraska Development District, notified the Board that the final financial report submitted for the Nebraska Department of Economic Development – Community Development Block Grant Program needed to be adjusted. He provided a revised Final Financial Report which required the signature of the Board Chair.

Moved by Neujahr, seconded by Bergen to authorize the Chairman to sign the Final Financial Report for Grant Number 05-HP-628; roll call: yeas, Neujahr, Bergen, Bredenkamp, Bulgrin and Brown; nays, none; motion carried.

Moved by Bulgrin, seconded by Neujahr to authorize the Chairman to sign the new Final Drawdown #24-F Final Administration costs with corrected totals in the amount of \$2,421.00; roll call: yeas, Bulgrin, Neujahr, Bergen, Bredenkamp and Brown; nays, none; motion carried.

Sheriff Radcliff informed the Board of a grant available for law enforcement equipment through the Nebraska Crime Commission. This grant is in the amount of \$45,938.00 and would be used to purchase Mobile Data Terminals and related software. He would like to have the approval of the Board and information on where the funds should be paid out of until reimbursement is made by the grant.

Moved by Bulgrin, seconded by Bergen to withdraw money out of the Inheritance Tax Fund to purchase these items with the money to be refunded to the Inheritance Tax Fund when payment is made from the grant; roll call: yeas, Bulgrin, Bergen, Neujahr, Bredenkamp and Brown; nays, none; motion carried.

John Day of Blue Valley Behavioral Health gave an annual report and request for funding. He is asking the Board for their continued support in the amount of \$5,000.00. The Board will take the request into consideration when drafting the 2009-2010 Budget.

A contract was received from Speece Lewis Engineers for the FEMA Project B957 – a culvert located in 17-9-3.

Moved by Bergen, seconded by Bredenkamp to sign the contract with Speece Lewis Engineers/WAW Construction; roll call: yeas, Bergen, Bredenkamp, Bulgrin, Neujahr and Brown; nays, none; motion carried.

### **CONTRACT**

This agreement, made and entered into in triplicate, this 5<sup>th</sup> day of May, 2009, by and between York County, Nebraska, acting through its authorized Board of County Commissioners part of the first part and hereinafter called the owner or the County, and WAW Construction Inc. authorizing agent, party of the second part and hereinafter called the Contractor.

The Contractor did, on the 7<sup>th</sup> day of April, 2009, submit a proposal for construction of a concrete box culvert in York County and other work incidental thereto as shown on Plans and Specifications entitled “Bid Documents and Specifications for York County Culvert, Project No. FEMA CULVERT-17-9-3, York County, Nebraska, “and previously filed with the County Clerk, a copy of which proposal is hereto attached and made a part hereof. The amount of the proposal was \$113,726.05 and such amount is the amount of this contract with no additions or deletions except by written change order from the Engineer, and if any such change orders are written, they shall be at the unit prices outlined in the proposal or as negotiated with the owner I writing.

In consideration of the following mutual agreements and covenants to be kept by each party, the Contractor agrees to furnish all work in accordance with said Plans and Specifications. The owner agrees to pay the Contractor in accordance with the provisions of said specifications and the accepted proposal.

It is mutually agreed by each party hereto that all provisions of said Plans and Specifications shall be strictly complied with and conformed to the same as if rewritten herein, and that no substitution or change in said Plans and Specifications shall be made except upon written consent of the Owner’s Engineer, and such allowance shall in no manner be construed to release either party from any specified or implied obligation of said Plans and Specifications.

This Contract is let subject to the following conditions:

ROW ACQUISITION AND ALL PERMITS RECEIVED IF REQUIRED.

In witness thereof, we the contracting parties by our agents hereto affix our signatures and seals.

Signed and sealed this 5<sup>th</sup> day of May, 2009.

Committee reports were given.

The Board discussed the Awards Banquet which will be held on June 17<sup>th</sup> at the Ag Event Center. Brown appointed Pat Bredenkamp and himself as the committee.

Mike Boden of National Insurance Services spoke with the Board regarding Long-Term Disability Insurance, a Buy-up Option. As of July 1, 2009, our NACO health insurance plan will include a base coverage for long-term disability at no cost to

the employee, however, Mr. Boden presented an option whereby the employee could purchase additional disability coverage.

Moved by Neujahr, seconded by Bulgrin to take part in the NACO sponsored long term disability insurance program and to allow employees an option to buy additional insurance; roll call: yeas, Neujahr, Bulgrin, Bergen, Bredenkamp and Brown; nays, none; motion carried.

Carol Knieriem, CASA Program Administrator came before the Board to thank them for their continued support and to give them an update on the program. The Board thanked her and her volunteers for their service to the county.

Cynthia D. Heine, York County Clerk submitted her April, 2009 fee report in the amount of \$12,278.41. The report was reviewed and placed on file.

The Chairman declared the meeting adjourned at 11:45 a.m. The next meeting will be May 19, 2009 at 8:30 a.m. with Elected Officials/Department Heads; 9:20 a.m. with the General Assistance Administrator and 9:35 a.m. in the County Commissioners Room, lower level of the Courthouse for the regularly scheduled meeting.

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Augustus M. Brown, Jr., Chairman  
York County Commissioners

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Cynthia D. Heine, County Clerk  
York, Nebraska